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Dated: January 25, 2005

Signature:


(Linda Blake)Docket No.: DU-P02-002
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Mike West

Confirmation No.: 2470

Application No.: 10/692002

Art Unit: 1644

Filed: October 24, 2003

Examiner: Not Yet Assigned

For: BINARY PREDICTION TREE MODELING
WITH MANY PREDICTORS AND ITS USES
IN CLINICAL AND GENOMIC
APPLICATIONS

January 25, 2005

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Pursuant to 37 CFR 1.98 (d)(1), copies of the references on the PTO/SB/08 are not required to be provided herewith since a copy of each reference was either submitted in an information disclosure statement or cited by the Office in connection with U.S. Serial No. 10/291,878 filed November 12, 2002, from which the subject application relies on for an earlier effective filing date under 35 U.S.C. 120. Reference CH1 was cited by the Examiner during prosecution of the parent application.

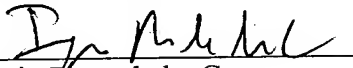
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. DU-P02-002. A duplicate copy of this paper is enclosed.

Dated: January 25, 2005

Respectfully submitted,

By: 

Ignacio Perez de la Cruz

Registration No.: 55,535

ROPES & GRAY LLP

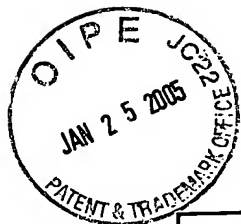
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Attorneys/Agents For Applicant



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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/692002
				Filing Date	October 24, 2003
				First Named Inventor	Mike West
				Art Unit	1644
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	DU-P02-002

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS							
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NON PATENT LITERATURE DOCUMENTS					
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	CA	SELLKE, T. et al., Calibration of p-values for testing precise null hypotheses, <i>The American Statistician</i> , 55 , 62-71, (2001)			
	CB	BREIMAN, L., Statistical Modeling: The two cultures (with discussion), <i>Statistical Science</i> , 16 , 199-225 (2001)			
	CC	OSBORNE, B.G., Applications of near infrared reflectance spectroscopy to compositional analysis of biscuits and biscuit doughs, <i>J. Sci. Food Agric.</i> , 35 , 99-105 (1984)			
	CD	BROWN, P.J., et al., The choice of variables in multivariate regression: A non-conjugate Bayesian decision theory approach, <i>Biometrika</i> , 86 , 635-648 (1999).			
	CE	LI, C. et al., Model-based analysis of oligonucleotide arrays: Expression index computation and outlier detection. <i>Proc. Natl. Acad. Sci.</i> , 98 , 31-36 (2001)			
	CF	EARLY BREAST CANCER TRIALISTS' COLLABORATIVE GROUP, Polychemotherapy for early breast cancer: an overview of the randomized trials, <i>Lancet</i> , 352 :930-942 (2001)			
	CG	WEST, M., et al., Predicting the clinical status of human breast cancer by using gene expression profiles, <i>Proc. Natl. Acad. Sci. USA</i> , 98 , 11462-11467 (2001)			
	CH	SPANG, R., et al., Prediction and uncertainty in the analysis of gene expression profiles, <i>In Silico Biol.</i> , 2 , 0033 (2002)			
	CI	VAN T VEER, L.J., et al., Gene expression profiling predicts clinical outcome of breast cancer, <i>Nature</i> , 415 , 530-536 (2002)			
	CJ	VAN DE VIJVER, M.J., et al., A gene-expression signature as a predictor of survival in breast cancer, <i>N. Engl. J. Med.</i> , 347 , 1999-2009 (2002)			
	CK	HUANG, E., et al., Gene expression predictors of breast cancer outcomes., <i>Lancet</i> in press (2003)			
	CL	POMEROY, S.L., et al., Prediction of central nervous system embryonal tumour outcome based on gene expression, <i>Nature</i> , 415 , 436-442 (2002)			
	CM	ALIZADEH, A.A., et al., Distinct types of diffuse large B-cell lymphoma identified by gene expression profiling, <i>Nature</i> , 403 , 503-511 (2000)			
	CN	ROSENWALD, A., et al., The use of molecular profiling to predict survival after chemotherapy for diffuse large-B-cell lymphoma.			

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/692002
				Filing Date	October 24, 2003
				First Named Inventor	Mike West
				Art Unit	1644
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	DU-P02-002
Sheet	2	of	2		

	CO	BHATTACHARJEE, A., et al., Classification of human lung carcinomas by mRNA expression profiling reveals distinct adenocarcinoma subclasses, Proc. Natl. Acad. Sci. USA 98, 13790-13795 (2001)	
	CP	RAMASWARNY, S., et al., Multiclass cancer diagnosis using tumor gene expression signatures, Proc. Nat'l. Acad. Sci. 98, 15149-15154 (2001)	
	CQ	GOLUB, T.R., et al., Molecular classification of cancer: class discovery and class prediction by gene expression monitoring, Science 286, 531-537 (1999)	
	CR	SHIPP, M.A., et al., Diffuse large B-cell lymphoma outcome prediction by gene expression profiling and supervised machine learning, Nat. Med. 8, 68-74 (2002)	
	CS	YEOH, E.-J., et al., Classification, subtype discovery, and prediction of outcome in pediatric acute lymphoblastic leukemia by gene expression profiling, Cancer Cell 1,133-143 (2002)	
	CT	CHENG, et al., Unique Features of Breast Cancer Res. Treat. 2000:63:213-23)	
	CU	MITTRA, I., et al., A Meta-analysis of reported correlations between prognostic factors in breast cancer: does axillary lymph node metastasis represent biology or chronology, Eur.J.Cancer 1991;27:1574-83	
	CV	McGUIRE, W.L., Prognostic factors for recurrence and survival in human breast cancer, Breast Cancer Res Treat. 1987;10:5-9	
	CW	TANDON, A.K., et al., HER-2/neu oncogene protein and prognosis in breast cancer, J.Clin. Oncol. 1989;7:1120-8	
	CX	KASS, R.E., et al., Bayes' factors, J. Am. Stat. Assoc. 90, 773-795 (1998)	
	CY	HOETING, J., et al., Bayesian model averaging, A tutorial; Statistical Science, 14(4), 382-417 (1999)	
	CZ	CLYDE, M., Bayesian Statistics 6, Bernardo J.M. (ed.), pp. 157-185 (Oxford University Press, 1999)	
	CA1	JATOI, I., Significance of axillary lymph node metastasis in primary breast cancer, J. Clin. Oncol. 17, 2334-2340 (1999)	
	CB1	PHILOSOPHOV, L. et al., Medical Diagnostic Decision Rules Based on Mutually Dependent Diagnostic Factors, Comput. Biol. Med., Vol. 27, No. 4, 329-347, 1997.	
	CC1	LIAO, S. et al., Appropriate medical data categorization for data mining classification techniques, Med. Inform. Vol. 27, No. 1, 59-67 (2002).	
	CD1	CHAPMAN, W. et al., A Comparison of Classification Algorithms to Automatically Identify Chest X-Ray Reports That Support Pneumonia, Journal of Biomedical Informatics, 34, 4-14 (2001).	
	CE1	DAWSON, K., et al., A Bayesian approach to the identification of panmictic populations and the assignment of individuals", Genet. Res. Camb., 78, 59-77 (2001).	
	CF1	Copy of International Search Report dated July 1, 2004 from corresponding application no. PCT/US03/33946; citing references PHILOSOPHOV, LIAO, CHAPMAN and DAWSON.	
	CG1	SORLIE, T., et al., Gene expression patterns of breast carcinomas distinguish tumor subclasses with clinical implications, PNAS, Vol. 98, No. 19, 10869-10874 (2001)	
	CH1	D'HAESELEER et al. Bioinformatics, Volume 16, pages 707-726 (2000)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Application No. (if known): 10/692,002

Attorney Docket No.: DU-P02-002

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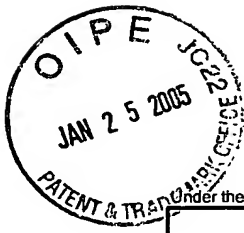
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/692002
		Filing Date	October 24, 2003
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		Art Unit	1644
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	8	Attorney Docket Number	DU-P02-002

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Printed name	Ignacio Perez de la Cruz		
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